

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE AMERICAN REALTY CAPITAL  
PROPERTIES, INC. LITIG..

x

## **SCHEDULING ORDER**

1:15-mc-00040 (AKH)

JOANNE WITCHKO, Derivatively on Behalf of  
Nominal Defendant AMERICAN REALTY  
CAPITAL PROPERTIES, INC.,

Lead Case No. 15-cv-6043 (AKH)

**Plaintiff**

Consolidated with Case No.  
15-cv-8563 (AKH)

NICHOLAS S. SCHORSCH, et al.

## Defendants

x

ALVIN K. HELLERSTEIN, U.S.D.J.:

The oral arguments previously scheduled for May 12, 2016 are adjourned to June 1, 2016, at 2:30 P.M. The Court will hear arguments on defendants' motions to dismiss the Second Amended Complaint in the class action, followed immediately by arguments to dismiss the Complaint in the derivative case.

SO ORDERED.

Dated: May 10, 2016  
New York, New York

ALVIN K. HELLERSTEIN  
United States District Judge

Mr. L. Gilbert